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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/445,439	02/23/2000	BERNHARD A. SABEL	10644-0001-2	9939

22850 7590 07/11/2003

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ALEXANDRIA, VA 22314

EXAMINER

HARTLEY, MICHAEL G

ART UNIT	PAPER NUMBER
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1616

DATE MAILED: 07/11/2003

28

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication

Application No.

09/445,439

Applicant(s)

SABEL ET AL.

Examiner

Michael G. Hartley

Art Unit

1616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 09 May 2003 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☒ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

The amendment filed under 37 CFR 1.312 does more than correct a typographic error as asserted by applicant, but changes the scope of the claims by adding "metal salts of carboxylic acids" to the Markush group of "stabilizers" recited in the claims. Since this amendment changes the scope of the claims and was not considered at the time of allowance, the amendment cannot be entered under 37 CFR 1.312.

THURMAN K. PAGE
SUPERVISORY PATENT EXAMINER
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